

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

NADIST, LLC,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:06CV969 CDP
	)	
THE DOE RUN RESOURCES	)	
CORP., et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**


This matter is before me on the motion for protective order and modification of the case management order. I will vacate the case management order for good cause shown. Because discovery in this matter has been complex, prolonged, and contentious, I am considering appointing a Special Master to provide close supervision of the discovery process. The parties shall notify me in writing by August 29, 2008, of their positions on the appointment of a Special Master, including whether they object to such an appointment, and if so, the reasons for any such objection. Because all parties may be required to bear the costs of appointing a Special Master, I expect the State of Missouri to file a response in compliance with this Order even though I have not yet ruled on it's motion to intervene. I would like the parties to confer in good faith in an attempt to reach

agreement about possible candidates for appointment to Special Master. The parties' position briefs shall include an explanation of these efforts and the names of candidates who are acceptable to all parties.

Accordingly,

**IT IS HEREBY ORDERED** that the motion for protective order and modification of the case management order [#154] is granted, and all deadlines in the current case management order are vacated.

**IT IS FURTHER ORDERED** that the parties, including movant State of Missouri, shall each file a brief of their positions on the appointment of a Special Master in compliance with this Memorandum and Order by **August 29, 2008.**

  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 20th day of August, 2008.